

RAYMOND C. CABALLERO
MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
APRIL 9, 2002
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: Council Member Jan Sumrall. Meeting was called to order and the invocation was given by Dr. Ed Williamson, Minister, Trinity First United Methodist Church, followed by the Pledge of Allegiance to the Flag of the United States of America.

- Mayor's Presentations
1. 13 Certificates of Achievement (Cheerleaders from Faith Christian)
 2. Long Term Care Ombudsman Day - April 10
 3. Senior Games Month - April
 4. Sexual Assault Awareness Month - April
 5. Action for Youth Day - May 4

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City of El Paso Arts Resources Department be authorized to receive a donation for the Arts in Education Program from the El Paso Independent School District for fiscal year 2002, in the amount of three thousand dollars (\$3,000). Funds will be used to present artist workshops in the schools within the District.

Motion made by Representative Medina, seconded by Representative Power and unanimously carried to approve the above Resolution.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City of El Paso Arts Resources Department be authorized to receive a donation for the Arts in Education Program from the Ysleta Independent School District for fiscal year 2002, in the amount of five thousand dollars (\$5,000). Funds will be used to present artist workshops in the schools within the District.

Motion made by Representative Power, seconded by Representative Cobos and unanimously carried to approve the above Resolution.

Motion made by Representative Medina, seconded by Representative Cook, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

.....
Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of October 30, 2001, November 20, 2001 and December 11, 2001. Dates were corrected as follows: October 3, 2001 changed to October 30, 2001; November 20, 2002 changed to November 20, 2001.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Temporary Land Use Agreement between the City of El Paso, Texas, and Devos Motor Company, Inc., together with related documents, for the following property: A portion of Tract 4A26, Block 2, Ascarate Grant, and a portion of Block 1D, El Paso International Airport Tracts, Unit 5, City of El Paso, El Paso County, Texas, containing approximately 16,825 square feet.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to publish notice of the City's intent to undertake the establishment of 3-1-1 non-emergency governmental service within the El Paso city limits, and to sign and send notices to the County of El Paso, the Town of Anthony, Texas, the Town of Clint, Texas, the Town of Horizon City, Texas, the City of Socorro, Texas, the Village of Vinton, Texas and the Ysleta Del Sur Pueblo.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Right-of-Way Crossing License Agreement between the EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO. 1 (the District) and the CITY OF EL PASO, TEXAS, (the City), relating to a portion of the District's property, known as the CINECUE LATERAL right-of-way; and that the Mayor be authorized to sign any related documentation. As the application and mapping fees have been paid by the City, there is no additional cost to the City.

.....
***RESOLUTION**

WHEREAS, Clint Newsome has entered into a lease (the Lease) with the City of El Paso for the use of the site of the future Union Plaza Transit Terminal to hold a Mardi Gras Festival as well as a St. Patrick's Day Festival; and,

WHEREAS, Clint Newsome has entered into a First Amendment to the Lease to allow for an additional festival, known as the Spring Break Festival; and

WHEREAS, the City Council of El Paso supports the location of such entertainment events within the Downtown and Union Plaza Entertainment District areas; and,

WHEREAS, Clint Newsome desires to extend the Lease in order to allow for the use of the site of the future Union Plaza Transit Terminal to hold an additional festival for Cinco de Mayo;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor is hereby authorized to sign, on behalf of the City, a Second Amendment to the Lease Agreement between the City of El Paso and Clint Newsome for the site of the future Union Plaza Transit Terminal. This Amendment allows for an extension of the original Lease Agreement as well as a Cinco de Mayo Festival to be held on the site. The site is bounded by Durango, San Antonio, Overland and Leon Streets, situated on Block 46, Mills Map.

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of TWELVE THOUSAND TWO HUNDRED AND NO 100THS DOLLARS (\$ 12,200.00 - \$5,225.00 loan/\$6,975.00 grant) against the following described real property:

Lots 24 and 25, Block 74A, LOGAN HEIGHTS ADDITION, an Addition to the City of El Paso, El Paso County, Texas, also known and numbered as 3718 Wickham Avenue, El Paso, Texas 79904.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of FOURTEEN THOUSAND EIGHT HUNDRED AND NO/100THS DOLLARS (\$ 14,800.00 - \$14,590 loan/\$210 grant) against the following described real property:

Lots 3, 4 and 5, and the West 13.9 feet of Lot 6, Block 10, EAST EL PASO ADDITION, an Addition to the City of El Paso, El Paso County, Texas, also known and numbered as 3505 Pera Avenue, El Paso, Texas 79905.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Liens whereby the City releases its liens in the amount of ELEVEN THOUSAND FIVE HUNDRED FIFTY AND NO/100THS DOLLARS (\$ 11,550.00 - \$4,000 loan/\$127 loan/\$7,550 grant/\$1,485 grant) against the following described real property:

Lot 44, PHELPS SUBDIVISION, an Addition to the City of El Paso, El Paso County, Texas, according to the map and plat thereof on file in Volume 3, Page 45, Plat Records of El Paso County, Texas; also known and numbered as 8926 Ayeta Lane, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of ONE HUNDRED FORTY-EIGHT AND 13/100THS DOLLARS (\$148.13).

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of SIX THOUSAND FIVE HUNDRED AND NO/100THS DOLLARS (\$ 6,500.00 - \$5,585.00 loan/\$915 grant) against the following described real property:

A portion of Tract 61, VALLEY GATE SUBDIVISION, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 2, Page 64, Plat Records of El Paso County, Texas, and being more particularly described by metes and bounds as shown in Builder's & Mechanic's Lien Contract (With Power of Sale), under File No. 07938, Film Records of El Paso County, Texas; also known and numbered as 173 Rio Monte Street, El Paso, Texas 79915.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of THIRTY AND 71/100THS DOLLARS (\$30.71).

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of FOURTEEN THOUSAND FOUR HUNDRED SEVEN AND NO/100THS DOLLARS (\$ 14,407.00 - \$9,236 loan/\$1,164 grant/\$4,007 loan) against the following described real property:

The East ½ of Lot 20, and all of Lot 21, Block 61, FRANKLIN HEIGHTS ADDITION, an Addition to the City of El Paso, El Paso County, Texas, also known and numbered as 1407 East Yandell Drive, El Paso, Texas 79902.

For consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan in the amount of FIVE AND 60/100THS DOLLARS (\$5.60).

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of NINE THOUSAND FIFTY AND NO/100THS DOLLARS (\$ 9,050.00 - \$8,150 loan/\$900 grant) against the following described real property:

Lot 24, Block 21, CIELO VISTA PARK, an Addition to the City of El Paso, El Paso County, Texas, according to the map of record in Volume 7, Page 13, Plat Records of El Paso County, Texas; also known and numbered as 7909 Cielo Vista Drive, El Paso, Texas 79925.

For consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of THREE THOUSAND SEVEN HUNDRED AND NO/100THS DOLLARS (Secured Grant - \$3,700.00) against the following described real property:

Lot 11, Block 14, CAPISTRANO PARK UNIT TWO, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 36, Page 13, Plat Records of El Paso County, Texas; also known and numbered as 231 Mecca Drive, El Paso, Texas 79907.

For consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of EIGHT THOUSAND FIVE HUNDRED AND NO/100THS DOLLARS (\$8,500.00 - \$7,000 loan/\$1,500 grant) against the following described real property:

Lot 2, Block 2, MILLERS LAKESIDE ADDITION, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 5, Page 7, Plat Records of El Paso County, Texas; also known and numbered as 321 Edith Drive, El Paso, Texas 79904.

For consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of SEVEN THOUSAND FIVE HUNDRED FIFTY AND NO/100THS DOLLARS (\$ 7,550.00 - \$3,260 loan/\$4,290 grant) against the following described real property:

Lot 2, Block 39, EASTWOOD (UNIT 7), an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 26,

For consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of SIXTY-SIX AND 72/100THS DOLLARS (\$66.72).

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Texas Trans-Pecos Library System TSLAC Grant Application, contracts and related documents for the El Paso Public Library. The grant funds will be used for library operations. The total amount of the grant application for FY2002/2003 is \$411,592. (No matching funds required.)

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Special Event Contract between the City of El Paso, on behalf of the Parks and Recreation Department, with the Yucca Council, Boy Scouts of America, authorizing the use of the Memorial Park Reserve Area from June 17, 2002 through June 21, 2002, for the Mescalero District Cub Scout Day camp.

.....
*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Consent to Assignment of proceeds from Charlie Case Tire Co. to Am-Pac Tire Distributors, with respect to the City of El Paso's Contract No. 2001-182, Fire Truck Tires & Roadside Service.

.....
*Motion made, seconded and unanimously carried to postpone four (4) weeks the request that the City assume the cost of maintaining lamp posts on Yandell Drive adjacent to the Concordia Cemetery as per agreement between the City of El Paso and the Concordia Heritage Association. These lamp posts were donated by the Association.

.....
*Motion made, seconded and unanimously carried to set a public hearing to be held on May 14th, 2002 to determine if the property located at 119 N. Pendell Rd., Apt. #22 & 25 in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of March 11th, 2002, Robert R. Cadena, 3611 Thomason Avenue, El Paso, Texas 79904-5423, and also 119 N. Pendell Rd., Apt. #22 & 25, has been notified of the violations at this property. There are no taxes owed as of March 13th, 2002.

.....
***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 14th day of May, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 119 N. Pendell Rd., Apt. #22 & 25, in El Paso, Texas, which property is more particularly described as:

Lot: The East 100 feet of the North 65 feet of Lot 5, Block C, Collingsworth Subdivision, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 5, Page 13, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Robert R. Cadena, 3611 Thomason Avenue, El Paso, Texas 79904-5423, and also 119 N. Pendell Rd., Apt. #22 & 25, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring this property into compliance as mandated by Municipal Code Section 18.52.040 and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week the request to authorize the Director of Purchasing to exercise the City's option extend the term of the contract, for one (1) additional year, from May 1, 2002, through April 30, 2003, pursuant to the provisions of contract 2000-167R, Cellular Telephone Services, with Voice Stream Wireless, \$127,000.00 estimated annual.

OPTION NO.: TWO [OF FOUR]

Account No: Various
Funding Source: Various
Amount: \$127,000.00 Estimated Annually
Department: Communications

*Motion made, seconded and unanimously carried to approve the authorization for use of District 5 discretionary funds in the amount of \$2,000 by Parks & Recreation Department to bring up to Health Code the kitchen at the Eastside Senior Center.

*Motion made, seconded and unanimously carried to approve the request for the following name(s) to be placed on the Reinstatement list in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

- A. Rodolfo Ortega, Jr., Police Detective
- B. Christopher Valles, Custodial Worker
- C. Robert Viera, Fire Suppression Technician

*Motion made, seconded and unanimously carried to approve the request to fill the position(s) on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Equipment Operator III (1)
- B. Laborer (2)

*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions.

- A. Automotive Service Worker I (1)
- B. Employment Services Manager (1)
- C. Police Toxicologist (1)
- D. Senior Scheduler (1)

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Airport

Delete	2.0	Airport Maintenance Worker	GS13
Add	1.0	Stores Clerk I	GS12
Add	1.0	Information Entry Operator	GS12

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Equipment Maintenance

Delete	1.0	Automotive Shop Helper	GS13
Add	1.0	Vehicle Parts Specialist	GS16

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Parks & Recreation

Add	1.0	Parks Engineer Technician	GS26
-----	-----	---------------------------	------

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Police

Add	1.0	Clerk Typist III	GS13
Delete	1.0	Clerk Typist II	GS09
Add	1.0	Clerk Typist III	GS13
Delete	1.0	Clerk Typist II	GS09

.....
*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Public Works—
Building Maintenance

Add	1.0	Electrician	GS19
Delete	1.0	Trades Helper Position #009011	GS11

.....
*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Solid Waste
Management

Delete	1.0	Sanitation Assistant Superintendent	EX-J
Add	1.0	Assistant Deputy Director	EX-J

.....
*Motion made, seconded and unanimously carried to delete the Board re-appointment of Edward E. Soltero
to the Union Plaza Board of Appeals (Architect Member) by Representative Sumrall.
.....

*R E S O L U T I O N

WHEREAS, the Development Corporation Act of 1979, Art. 5190.6, Texas Revised Civil Statutes, authorized the creation of non-profit, non-member, non-stock corporations to act on behalf of political subdivisions of the State of Texas for the promotion of industrial development; and

WHEREAS, on August 28, 1979, the City Council of the City of El Paso, Texas, approved the creation of the City of El Paso Industrial Development Authority, Incorporated; and

WHEREAS, Article VII of the Articles of Incorporation, as amended effective December 21, 1993, vests powers of the Corporation in a Board of Directors, who are appointed by written resolution of the governing body of the City of El Paso, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That Bobby Bowling, Sr., be reappointed to the Board of Directors of the Industrial Development Authority, effective as of the date hereof, on behalf of Representative District #4.

.....
*Motion made, seconded and unanimously carried to remove Lois Pelkey from the Art Museum Advisory Board as requested by Representative Cook.

.....
*Motion made, seconded and unanimously carried to remove Lois Pelkey from the Arts Resources Board as requested by Representative Cook.
.....

*Motion made, seconded and unanimously carried that the following installment agreements for AD JALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #V342-999-0090-3300, \$289.00 per month installments on a balance of \$3,468.00 for 1998 and 1999 taxes; Maria E. Marinelarena – 6500 Aztec Rd.
- B. PID #U819-999-0010-0910, \$362.24 per month installments on a balance of \$13,040.64, for 1996, 1997, 1998, 1999, 2000 and 2001 taxes; Irene Aguirre, Narciso & Rebecca Hernandez – Frontera.
- C. PID #S562-003-0480-1400, \$177.28 per month installments on a balance of \$2,127.36 for 1992, 1993, 1995, 1996, 1999 and 2000 taxes; Gloria Sepulveda - 13079 Grand River Dr.
- D. PID #S052-999-0040-1100, \$179.45 per month installments on a balance of \$4,306.80, for 1998 & 2000 taxes; Jesus & Leticia Armendariz – 230 Valencia Pl.
- E. PID #95MH-999-0156-0042, \$204.59 per month installments on a balance of \$2,455.08, for 1996, 1997, 1998, 1999 and 2000 taxes; Tony Jasquez – 8507 Humberto.
- F. PID #M576-999-0120-1700, \$201.91 per month installments on a balance of \$4,845.84 for 1999 and 2000 taxes; Martin & Rosie Arriola – 3940 Waymore Dr.
- G. PID #M028-999-0380-8500, \$279.82 per month installments on a balance of \$4,477.12 for 1995, 1996, 1997, 1998, 1999 and 2000 taxes; Juan D D & Elizabeth Crispin – 918 Tays St.
- H. PID #B724-999-0140-3400, \$2,421.70 per month installments on a balance of \$21,795.30 for 1998, 1999 and 2001 taxes; Forti Investments Inc. – 321 Chelsea St.

.....
 *Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. IndyMac Bank, in the amount of \$1,104.85; overpayment of 2000 taxes.
(PID #C340-999-0140-1300)
 - B. Shannon Haycraft, in the amount of \$1,744.64; overpayment of 2001 taxes.
(PID #C801-999-0260-0700)
 - C. Gatekeeper Property Management, Inc., in the amount of \$1,451.55; overpayment of 2001 taxes.
(PID #D377-999-001A-3300)
 - D. Fifth Third Bank, in the amount of \$1,294.54; overpayment of 2001 taxes.
(PID #D672-999-0090-2600)
 - E. Frank A Herrera, in the amount of \$512.61; overpayment of 2001 taxes.
(PID #H010-000-0270-0110)
 - F. Lower Valley Housing Corporation, in the amount of \$1,652.69; overpayment of 2001 taxes.
(PID #H790-000-0150-0200)
 - G. Juan Alderete, in the amount of \$699.29; overpayment of 2001 taxes.
(PID #N515-999-0010-3600)
 - H. Michael J. Mrochek, in the amount of \$9,556.33; overpayment of 2001 taxes.
(PID #R701-999-0030-2900)
 - I. First American Title Co., in the amount of \$1,956.87; overpayment of 2001 taxes.
(PID #S275-999-0020-4500)
 - J. Carefree Homes I, L. P., in the amount of \$504.89; overpayment of 2001 taxes.
(PID #S812-999-0260-0600)
 - K. National City Mortgage, in the amount of \$1,285.50; overpayment of 2001 taxes.
(PID #S912-999-0010-8900)
 - L. Sanford L. Scott and Cathie B. Scott, in the amount of \$654.02; overpayment of 2001 taxes.
(PID #U819-999-008B-0580)
 - M. Sanford L. Scott and Cathie B. Scott, in the amount of \$3,262.64; overpayment of 2001 taxes.
(PID #U819-999-008B-0581)
 - N. Lear Corporation, in the amount of \$106,111.61; overpayment of 2001 taxes.
(PID #V893-999-3320-0500)
 - O. Colonial Savings, in the amount of \$2,154.72; overpayment of 2001 taxes.
(PID #V927-999-0150-3800)
-

Motion made, seconded and unanimously carried to move to the regular agenda RFP No. 2002-128R Software for Information Technology/GIS Division

Chief Leon, El Paso Police Department, commented that this is a crime analysis software that will reduce the waiting time and will help analyze how the department will deploy the staff.

Mr. Jim Pulliam, Director of Information Technology, explained that they were discouraged to create their own program because of the size of the City and this was the only company that was able to provide them with the software.

Mr. Byron Johnson, Director of Purchasing, commented on the responses to this RFP.

Mr. Homero Galicia, representing MayorTech, was present to comment and explained that Omega was not friendly to work with their company. He proceeded to say that they really want to work with the City locally and feels that Omega is being negative to do so. He requested that this be re-bid so that they could participate.

Motion made by Representative Power, seconded by Representative Sariñana and unanimously carried to award RFP No. 2002-128R Software for Information Technology/GIS Division

Award to: Earth Solutions, LLC
Albuquerque, NM
Item (s): All
Amount: \$118,294.00 (estimated)

Department: Information Technology
Funds available: 04250203-508010
Funding source: Certificates of Obligation FY02, Data Processing
Total award: \$118,294.00

Information Technologies and Purchasing, based on evaluation factors established for this RFP recommend award to Earth Solutions, LLC.

This is a requirement contract.

NOTE: This item was discussed with item shown on Page 23, "Discussion and action regarding the procurement of GIS software – RFP No. 2002-128R."

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-085 Police Uniforms

Award to: Vendor 1: Bazaar Uniforms and Men's Store
El Paso, Texas
Item (s): Group I, II, IV, V, VI, VIII
Amount: \$178,202.17 (estimated annually)

Vendor 2: Direct Action Uniforms
El Paso, Texas
Item (s): Group III
Amount: \$8,971.20

Department: Police
Funds available: 21010060-503120
Funding source: General Funds

Total award: \$187,173.37

The El Paso Police Department and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

No bids were received from Group VII, new specifications will be reviewed and will be re-bid at a later date.

Vendor #1 & #2 offer the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of award.

This is a Requirements Type Contract with an initial term of TwentyFour (24) months.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-132 Compact Sedans

Award to: Casa Ford, Inc.
El Paso, Texas
Item (s): 1
Amount: \$51,451.40

Department: Police
Funds available: 04250203-508006-PMB0003130
Funding source: FY2002 Certificates of Obligation
Total award: \$51,451.40

The Police, Equipment Maintenance and Purchasing Departments recommend awards as indicated as this vendor has provided the Best Value Bid.

This is a fixed-price, single (one-time) contract, to purchase 4 Compact Sedans. Vendor offers an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is before Manufacturer's Build-out. No prompt payment discount is offered.

.....
Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2002-140 Dick Shinaut Concrete Slab

Representative Power thanked the Parks and Recreation Department and the Purchasing Department for their quick action in this matter. He stated this is a new way to build a skateboard park.

Representative Sariñana commented that he has been trying for the last two years to get a skateboard park as well but it has been delayed because of all the bureaucracy.

Mr. Byron Johnson, Director of Purchasing, commented that they will be meeting on the skateboard park for Representative Sariñana's District this week and that the bid is already out. He thanked his staff for expediting this.

Motion made by Representative Power, seconded by Representative Escobar and unanimously carried to award Bid No. 2002-140 Dick Shinaut Concrete Slab

Contractor: J.A.R. Concrete, Inc.
El Paso, Texas
Department: Parks & Recreation
Funds Available: 51159242-P518000822-16161-508004
Funding Source: Parkland Dedication Fees
Base Bid \$34,098.00

The Departments of Engineering, Parks & Recreation, and Purchasing recommend the award of this contract to J.A.R. Concrete, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2002-467 MUSEUM OF ART

To appropriate donated funds for the purchase of Annabelle Livermore Big Bend Series III oil on panel.

Increase	\$4,100	to	54154001/G54000607401/405060	Donations
Increase	\$4,100	to	54154001/G54000607401/508011	Cultural Wrks

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2002-496 HEALTH
 A budget transfer is needed to set up a budget for donation received from the American Lung Association. This funding is needed to purchase clinical/medical supplies for the laboratory to perform Tuberculosis testing.

Increase	\$5,000	to	41150004/G41012607206/406002	LocalGrtProc
Increase	\$5,000	to	41150004/G41012607206/503112	ClinicMed Sup

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2002-510 MUSEUM OF ART

To appropriate funds from Cash Balance for printing of Membership Newsletter \$4,945.00, Production of Newsletter inserts \$1,228.00 and other outside services \$3,500.00.

Increase	\$10,000	to	54500025/50105/407002	Est Rev
Increase	\$10,000	to	54500025/50105/502225	Outside Cont

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2002-511 MUSEUM OF ART

To appropriate funds for employee to attend the annual conference of the Art Museum Development Association on April 25 – April 29 in Chicago, Illinois.

Increase	\$1,200	to	54500025/50105/407002	Est Rev
Increase	\$1,200	to	54500025/50105/504201	Trv Exp Empl

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2002-512 AIRPORT
 Transfer of funds to cover increase in insurance premiums.

Increase	\$100,000	to	62620001/40101/504402	Liability Ins
Increase	\$ 90,000	to	62620001/40101/504409	Property Ins
'ncrease	\$190,000	to	62620001/40101/407001	IntrafdTrf In
increase	\$190,000	to	62620018/P50000241021/507001	IntrafdTrf Out
Increase	\$190,000	to	62620018/P50000241021/407002	Est Rev

Increase	\$190,000	to	62620018/P50000241021/507001	IntrafdTrf Out
Increase	\$190,000	to	62620018/P50000241021/407002	Est Rev

.....
 *Motion made, seconded and unanimously carried to approve the following Building Services - refund:

Home Occupation license refund to Ana Hernandez in the amount of \$44.00.

.....
 *Motion made, seconded and unanimously carried to approve the request of March of Dimes Birth Defects Foundation to hold a walk on April 27, 2002 from 9:00 a.m. to 1:00 p.m. Route: Start at Western Playland, proceed to Delta, right to Trowbridge, left to Paisano, right to E. Yandell, left to Raynolds, to Delta and end at Western Playland. Approximately 1,500 persons will take part. PERMIT NO. 02-024

.....
 *Motion made, seconded and unanimously carried to approve the request of John R. Jones to block off the 2300 block of Alan Duncan Lane (cul-de-sac) on April 13, 2002 from 8:00 p.m. to 12:00 a.m. for a birthday block party. Approximately 250 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (small DJ booth). PERMIT NO. 02-029

.....
 Motion made Representative Rodriguez, seconded by Representative Cook and unanimously carried to send to the Park's Legislative Review Committee an Ordinance to Amend Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.200 (Rental Rates and User Fees Authorization) to eliminate the requirement for some rental security deposits and to establish a non-refundable rental agreement processing charge.

Mr. Charles Nutter, Director of Parks and Recreation, was present to comment and answer any questions. He explained that this would add a \$10 fee that would give the City some revenue for holding the location off the market for that facility.

Representative Medina commented on the non-refundable processing charge. After some discussion, it was suggested that this be reviewed by the Parks Legislative Review Committee.

.....
 ORDINANCE 15073

The City Clerk read an Ordinance entitled: **AN ORDINANCE PROVIDING FOR ART IN MUNICIPAL PLACES: ESTABLISHING THE EL PASO PUBLIC ARTS COMMISSION AND DESCRIBING ITS POWERS AND DUTIES; AND ESTABLISHING MEANS OF FUNDING ACQUISITION OR COMMISSIONING OF ART FOR MUNICIPAL PLACES**

Mr. John Nance, Assistant City Attorney, explained the revisions of the provisions in the Ordinance.

Representatives Power and Sariñana expressed their opposition for using 2% of the City bond monies left over in a project. They felt that is not what was promised to the voters and they do not believe that there will be any money left over from projects.

Representative Power commented that he would like to have the 25% matching provision removed.

Ms. Alejandrina Drew, Director of Arts Resources, explained that she could not guarantee that they will be able to raise the 25% private fund matching funds especially when this is such a new program and there is no set precedence.

Mr. William Chapman, Chief Financial Officer, explained that the funds do generate interest and are returned to that fund.

Mr. Carl Penn, arts advocate, spoke about the investment benefits. He said he is a member of the Arts Resources Advisory Board and he is in favor of the Ordinance.

Mr. Charlie McNabb, Chief Administrative Officer, explained that he believes that there is no wording in the Ordinance that indicates what will happen if no 25% in private funds has been raised.

Ms. Kenna Ramirez, Texas Commission on the Arts, suggested that this be approved and then sent to the committee in order to move forward.

Mr. Henry Jurado, XII Travelers Committee, made comments in support of the Ordinance.

Motion duly made by Representative Cook, seconded by Representative Sariñana that the Ordinance be adopted without further revisions. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: Council Member Sumrall

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
Motion made by Representative Cobos, seconded by Representative Sariñana and unanimously carried to deny an Ordinance changing the zoning of Lots 7-10 and the North 1/2 of Lot 6, Block 45, ALEXANDER ADDITION, El Paso, El Paso County, Texas (Sw Corner of Crosby Street and Stanton Street) from A-3 (Apartment) to S-D (Special Development). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Mayela Haydar/ Representative: Kistenmacher Engineering Co., Inc., 1420 Geronimo Drive, Suite A-2, El Paso, TX. 79925. ZC-02003. Representative Sumrall was absent.

Mr. Glen Kistenmacher, Kistenmacher Engineering, explained that the owner is proposing to build a small owner operated beauty salon.

Mr. Tim Fannell, Neighborhood Association, stated the neighborhood is south of Schuster. He went on to say some of the residents have been living there for over sixty years, and neighbors within the 200 foot radius all are in opposition.

Representative Cobos recommended to the property owner to perhaps build some nice homes in that area.

Mayor Caballero stated his support for developing the neighborhoods and placing liens on properties where owners refuse to clean them or sell them. He said we need to set an example.

Ms. Pat Aauto, Director of Planning, stated this falls under Section 211.006(d) of the Local Government Code and requires seven affirmative votes for approval.

Mr. Julio Norman, neighborhood resident, expressed his agreement with this Council in regards to developing the central part of El Paso.

.....
Motion made by Representative Sariñana, seconded by Representative Cobos and carried to deny an Ordinance changing the zoning of Tract 20A and Tract 20C-1, Block 15, YSLETA GRANT, El Paso, El Paso County, Texas (594 Lomaland Drive) from A-O (Apartment-Office) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Ruben & Estella Lujan / Representative: Lucero Melendez Architects, 1325 Montana, El Paso, TX. 79902. ZC-02004. Representative Sumrall was absent and Representative Medina was not present for the vote.

Ms. Pat Adauto, Director of Planning, commented that the DCC voted in opposition of this because they felt it would not be appropriate. She said there were no calls or letters received in opposition

Representative Sariñana complained that people are changing zoning so the property value goes up and then they turn around and sell the property and they do not do what they said they would. He said this is what happened with this property. He proceeded to explain to Council and City Attorney that something needs to be done in order to prevent this, such as setting a time limit that will give a predetermined time line and if nothing is done than the property would go back to the original zoning.

.....
ORDINANCE 15074

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO IEK #2 L.P. PERMITTING THE ENCROACHMENT OF A CANOPY WITH SECURITY ROLL-UP DOORS ALONG PORTIONS OF PUBLIC RIGHT-OF-WAY AT 102 N. MESA STREET.**

Ms. Pat Adauto, Director of Planning, explained what the applicant is proposing.

Motion duly made by Representative Cobos seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

- AYES: Council Members Medina, Cook, Power, Sariñana and Cobos
- NAYS: Council Member Rodriguez Absent: Council Member Sumrall

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Escobar was not present to vote.

.....
*Motion made, seconded and carried to postpone one week an Ordinance granting a Special Privilege to Luis Robles, Jr. to permit temporary sidewalk vending within a portion of public right-of-way located at 701 S. Oregon Street from April 10, 2002 through June 30, 2002. (Fee: \$37.50, SP-02004)

.....
*Motion made, seconded and unanimously carried to postpone four (4) weeks the Public hearing to determine if the property located at 8701 Mt. Whitney Drive in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of October 23^d, 2001, Doyal S. Henderson, 549 County Line Rd., Chaparral, Nm 88021, has been notified of the violations at this property. Doyal S. Henderson has been delinquent in taxes since 1995 for a total of \$14,305.91. Account is presently in suit.

.....
ORDER

WHEREAS, after providing due notice to the Owners of the hereinafter described property, the City Council of the City of El Paso conducted a Public Hearing on February 5th , 2002, regarding the property located at 8464 Roseway Drive (Rear), more particularly described as:

Tract: 6, Save and Except the Westerly 159.0 feet of the Northerly 169.75 feet of Tract 6, Fruitvale Subdivision, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 11, Page 36, Plat Records of El Paso County, Texas

and found that the Building located on said property is substandard; unfit for habitation or use, and a hazard to public health, safety and welfare; and that the Building is not in substantial compliance with the Municipal Ordinances, and that the Building can not be repaired; and

WHEREAS, having found that the Building is not in substantial compliance with the Municipal Ordinances, the City Council ORDERED the Owners of said property to demolish the Building and remove all weeds, trash and debris, within 30 days of adoption of the Resolution dated February 5th , 2002, that is on or before March 6th , 2002.

WHEREAS, the City Council ORDERED the Owners of said property to appear before City Council on April 9th , 2002, for a Public Hearing to determine whether the Council Order has been complied with and to determine penalties if the Council Order has not been complied with:

WHEREAS, no one appeared.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council, having heard the evidence, makes the following findings:
 - a. That the Owners of said property, John A. Jenks, Frances K. Jenks, John A. Jenks, III, and Sudie A. Jenks-Anderson, 8464 Roseway Drive, El Paso, Texas 79907-5214, were notified of the requirements of Section 18.52.040 and of his need to comply with these requirements as they relate to their property; and
 - b. That after notification, the Owners committed an act in violation of Section 18.52.040 or failed to take an action necessary for compliance with 18.52.040, specifically; the Owners failed to demolish the Building, and clean the premises of all weeds, trash and debris within 30 days after February 5th , 2002 that is, on or before March 6th , 2002; and
 - c. That the Owners have failed to comply with the Order each day from March 6th , 2002 through April 9th , 2002, a total of 34 days; and
 - d. That the property which is subject to the Order is not the Owner's homestead; and
 - e. That the City Council can assess a civil penalty against the Owners in an amount not to exceed \$1,000.00 a day for each violation, a total of \$34,000.00.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the Owners are hereby assessed the following civil penalties: \$100.00 a day for each of the 34 days during which the City Council Order of February 5th , 2002 was not complied with; for a total of \$3,400.00.
2. That the City Clerk file a certified copy of this Order with the District Clerk of the County of El Paso; and
3. That the Owners are hereby placed on notice that continuing failure to comply with the City Council's Order to demolish the Building and clean the premises of all weeds, trash, and debris may result in additional penalties

Mr. Tom Maguire, Building Services Department, presented this case and gave the recommendation of the Department.

Motion made by Representative Escobar, seconded by Representative Medina and unanimously carried to accept the recommendation of the Department and approve the above resolution.

.....
ORDER

WHEREAS, after providing due notice to the Owners of the hereinafter described property, the City Council of the City of El Paso conducted a Public Hearing on February 5th , 2002, regarding the property located at 9166 Alameda Avenue, more particularly described as:

Lot: 9, Block 1, Valumbrosa Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 6, Page 23, Plat Records of El Paso County, Texas

and found that the Building located on said property is substandard; unfit for habitation or use, and a hazard to public health, safety and welfare; and that the Building is not in substantial compliance with the Municipal Ordinances, and that the Building can not be repaired; and

WHEREAS, having found that the Building is not in substantial compliance with the Municipal Ordinances, the City Council ORDERED the Owner of said property to demolish the Building and remove all weeds, trash and debris, within 30 days of adoption of the Resolution dated February 5th , 2002, that is on or before March 6th , 2002.

WHEREAS, the City Council ORDERED the Owner of said property to appear before City Council on April 9th , 2002, for a Public Hearing to determine whether the Council Order has been complied with and to determine penalties if the Council Order has not been complied with:

WHEREAS, no one appeared.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council, having heard the evidence, makes the following findings:
 - a. That the Owner of said property, Gabino Aragon, 368 Mirasol Drive, El Paso, Texas 79907-4918, and also 9166 Alameda Avenue, El Paso, Texas 79907-6602, was notified of the requirements of Section 18.52.040 and of his need to comply with these requirements as they relate to their property; and
 - b. That after notification, the Owner committed an act in violation of Section 18.52.040 or failed to take an action necessary for compliance with 18.52.040, specifically; the Owner failed to demolish the Building, and clean the premises of all weeds, trash and debris within 30 days after February 5th , 2002 that is, on or before March 6th , 2002; and
 - c. That the Owner has failed to comply with the Order each day from March 6th , 2002 through April 9th , 2002, a total of 34 days; and
 - d. That the property which is subject to the Order is not the Owner's homestead; and
 - e. That the City Council can assess a civil penalty against the Owner in an amount not to exceed \$1,000.00 a day for each violation, a total of \$34,000.00.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the Owner is hereby assessed the following civil penalties: \$100.00 a day for each of the 34 days during which the City Council Order of February 5th, 2002 was not complied with; for a total of \$3,400.00.
2. That the City Clerk file a certified copy of this Order with the District Clerk of the County of El Paso; and
3. That the Owner is hereby placed on notice that continuing failure to comply with the City Council's Order to secure the Building and clean the premises of all weeds, trash, and debris may result in additional penalties.

Mr. Tom Maguire, Building Services Department, presented this case and gave the recommendation of the Department.

Motion made by Representative Escobar, seconded by Representative Sariñana and unanimously carried to accept the recommendation of the Department and approve the above resolution.

.....
 Motion made Representative Rodriguez, seconded by Representative Sariñana and unanimously carried to postpone two (2) weeks the Public hearing to determine if the property located at 5140 Catskill Avenue in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of March 7th, 2002, Odies L. And Evelyn Jackson, P. O. Box 311771, Birmingham, Alabama 35231, have been notified of the violations at this property. There are \$609.92 in back taxes owed as of March 6th, 2002.

Mr. Tom Maguire, Building Services Department, presented this case and stated the building was structurally sound.

Mr. Emerson Smith commented that he is interested in buying and rehabilitating the property.

Mayor Caballero stated that it is intolerable that this property has been sitting there in such a bad condition for all these years. He apologized to the neighbors and encouraged all city employees and not only the public to be on the look out for properties in bad condition.

.....
 *Motion made, seconded and unanimously carried to postpone two (2) weeks the discussion and action on elimination of moratorium on sale of PSB land. (Representative Sumrall and Representative Power)

.....
 *Motion made, seconded and unanimously carried to delete the discussion and action on the City co-sponsoring El Paso Heritage Week Festival being held April 27-May 5. (Representative Power)

.....
 Motion made by Representative Escobar, seconded by Representative Power and unanimously carried to approve the extension for the completion of the Convention & Visitors Bureau & Convention & Performing Arts Center's 2002-2003 Marketing Plan until Friday, May 17, 2002. (Representative Power)

Representative Power explained that the Director of CVB has requested an extension to May 17, 2002 to develop a more comprehensive report.

.....
 No action was taken on the discussion regarding the lack of availability of Handicap Parking for Board and Committee Members as well as visitors, to City Hall. (Representative Cook)

.....
 Mr. Charlie McNabb, Chief Administrative Officer, explained that there is a serious parking shortage, especially with the security issues behind it. He stated we have issued over three times the amount of

2. One (1) acrylic, enamel, and flashe on canvas on panel by Paul Henry Ramirez entitled *Elevatious Transcendualistis #5* valued at \$9,000.00 (with funds provided by the Robert U. and Mabel O. Lipscomb Foundation)
3. One (1) chromogenic color print by Richard Misrach entitled *Battleground Point #14* valued at \$1,800 (with funds from the Robert U. and Mabel O. Lipscomb Foundation and Museum Staff)

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to sign an outgoing loan agreement on behalf of the City of El Paso, for the loan of *San Isidro Labrador*, 1903, by Jorge Encizo to the New Mexico Farm and Ranch Heritage Museum for the exhibition *Images of San Ysidro* from May 6 - June 7, 2002.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following rental contract for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event:	Dinner and Presentation
Licensee:	Quantum Home Care
Date:	April 25, 2002
Time:	5:30 p.m. - 9:00 p.m.
Charge for Space:	\$500.00
Charge for Staff (est.):	\$220.00
Charge for Insurance:	\$ 40.00
Area(s):	Lobby

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a Grant Application to the Substance Abuse and Mental Health Services Administration's (SAMHSA) Center for Mental Health Services (CMHS) on behalf of the City of El Paso in the amount of \$485,422 Federal, \$83,906 State, \$18,796 Local, for a total of \$588,124, for the Partnership for Youth Transition Program Project; and

That Deborah G. Hamlyn, Director of Community and Human Development, be authorized to furnish such additional information as CMHS may require in connection with the Application for this Program; and

That the Mayor be authorized to execute, on behalf of the City of El Paso, any Grant Agreement and corresponding Agreements with the collaborative partners under the Grant and the Program for the above amount, or for a greater or lesser amount, and any amendments to the initial Grant Agreement which increases, decreases or deobligates Program funds, provided that no additional City funds are required, upon approval by CMHS. (No City matching funds required.)

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Grant Application and related documentation on behalf of the El Paso City-County Health and Environmental District with the Environmental Protection Agency for Clean Air Diesel Program which will identify all diesel fleets' and off road equipment, provide information to improve engine performance and reduce emissions, and evaluate various alternative diesel fuels. The total grant amount is ONE HUNDRED THIRTY FOUR THOUSAND, NINE HUNDRED SIXTY DOLLARS AND 00/100 (\$134,960.00). The City of El Paso's contribution is FIFTY THREE THOUSAND NINE HUNDRED EIGHTY FOUR DOLLARS AND 00/100 (\$53,984.00), and the EPA's contribution is EIGHTY THOUSAND NINE HUNDRED SEVENTY SIX DOLLARS AND 00/100 (\$80,976.00).

.....
Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and BRACEWELL & PATTERSON, LLP to provide consulting and lobbying services in Washington, D.C.

Mayor Caballero commented that he is very happy that this is being proposed since he has experienced that many of the cities he has been to all have representation in Washington, D.C.

Mr. Charlie McNabb, Chief Administrative Officer, explained that they would like to issue this contract this year so that we can get into the appropriations right now.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above resolution.

.....
Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Resolution supporting the annual El Paso Heritage Week Festival which would include expediency of ordinances with regard to special-use permits and departmental resolutions with Museum of Art, Library, & Parks and Recreation for use of sidewalks, streets & other public areas designated in festival area; use public buildings to post announcements of festival and use of city billboards to promote festival.

Ms. Suzanne Dipp stated the group is in its 3rd year of planning the El Paso Heritage Week Festival. She stated the following: It is a collaborative effort of good will, using all volunteers; it will boost tourism in the city, develop the culture and many other things; and every day there will be an event in the downtown area. She said they are asking for endorsement and well as asking for approval to post a poster in the lobby for this event.

City Attorney Rita Rodriguez explained the ordinance processes have been started and commented on the board for posting public events.

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to postpone one (1) week the Resolution that the Mayor be authorized to sign a Resolution supporting the annual El Paso Heritage Week Festival which would include expediency of ordinances with regard to special-use permits and departmental resolutions with Museum of Art, Library, & Parks and Recreation for use of sidewalks, streets & other public areas designated in festival area; use public buildings to post announcements of festival and use of city billboards to promote festival.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and the following individuals for the El Paso Public Library's 2002 Summer Reading Program:

1. Terry Alvarez
2. Georgina Askew
3. Bob Burns, Boots & Beans
4. Lewis Contreras
5. Ulysses Davis
6. Amada Delgado, Party Animals
7. Lavonya Friday
8. Chris Gonzales
9. Bob King
10. Monica Ortiz
11. Jaime Villagrana
12. Mark Wickenheiser

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the **CITY OF EL PASO** and **RONALD E. DAWSON**, for the El Paso Public Library, to conduct a presentation on El Paso Streetcars/Trolleys, in conjunction with the El Paso Heritage Festival, on April 30, 2002, from 6:30 p.m. to 7:30 p.m., at the Main Library. There is no cost to the City.

.....
*Motion made, seconded and unanimously carried to appoint Frank G. Estrada to the Arts Resources Board by Representative Medina.

.....
*Motion made, seconded and unanimously carried to appoint Beatrice "Bea" A. Sada to the Community Development Steering Committee by Representative Medina.

.....
No action was taken on the discussion and action regarding the procurement of GIS software - 2002-128R. 158R was corrected to read "regarding the procurement of GIS software - 2002-128R".. (Homero Galicia)
See Page 11 for comments regarding this item.
.....

No action was taken on the discussion and action as to why there are discriminating differences when paying fees between disabled people, disabled veterans, Prisoners of War and veterans' parking at the Airport/Civic Center. (Leopoldo Sierra)

Mr. Leopoldo Sierra was present and asked the above question.

Ms. Rita Rodriguez, City Attorney, stated that what we have in place is pursuant to State Legislature.

.....
Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Ordinance No. 14996 (which created Tax Increment Financing District Number Two (No. 2), by amending Section 9.1 concerning the composition of the Board of Directors and Section 12 concerning the taxes to be included in the Tax Increment Fund, and providing a severability clause.
- B. An Ordinance amending Ordinance No. 14999 (which created Tax Increment Financing District Number Three (No. 3), by amending Section 9.1 concerning the composition of the Board of Directors and Section 12 concerning the taxes to be included in the Tax Increment Fund, and providing a severability clause.
- C. An Ordinance granting a Special Privilege to Entertainment Plus, Inc. to temporarily close portions of Anthony Street between San Francisco Avenue and San Antonio Avenue; San Francisco Avenue between Anthony Street and Durango Street; Western Court between Paisano Drive and Durango Street; and the alley between San Francisco Avenue and Western Court for a Cinco de Mayo Street Festival from Friday, May 3, 2002 through Sunday, May 5, 2002. Consideration: \$225.00, SP-02007
- D. An Ordinance granting a Special Privilege to the El Paso Heritage Week Festival to temporarily close portions El Paso Street between Missouri Avenue and Franklin Avenue; Main Drive between Oregon Street and Mesa Street; San Francisco Avenue (Trolley Lane) between Santa Fe Street and El Paso Street; and portions of public right-of-way (sidewalk area) along portions of Oregon Street, Mills Avenue, and El Paso Street between Main Drive and San Antonio Avenue for the El Paso Heritage Week Festival on Saturday, May 4, 2002. Consideration: \$50.00, SP-02010

PUBLIC HEARING WILL BE HELD ON APRIL 23, 2002 FOR ITEMS A - D

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

.....
Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
 Section 551.074 PERSONNEL MATTERS
 Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

- A. DownTown Architects, 02-C-052
- B. Kirbyville Independent School District, et al., v. Abestospray Corporation, et al., Civil Action No. 1:94CV412
- C. City of El Paso, Texas vs. Selma Malooly, et al., Cause No. 02-171, Our File No. 01-P-03
- D. Request for credit of \$127,000 on loan #5108 and \$47,000 on loan #5107 which are for 510 W. Missouri and 523 W. Missouri respectively. These are Home Program Loans administered by the Community and Human Development Department. (Jamie Barron)

Motion made by Representative Rodriguez, seconded Representative Escobar and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....
 Motion made by Representative Medina, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED SETTLEMENT AUTHORITY** in the claim entitled **DownTown Architects, Our File No. 02-C-052**, as recommended by the City Attorney.

.....
 No action was taken on Kirbyville Independent School District, et al., v. Abestospray Corporation, et al., Civil Action No. 1:94CV412 (551.071)

.....
 Motion made by Representative Medina, seconded by Representative Escobar and unanimously carried to postpone one (1) week City of El Paso, Texas vs. Selma Malooly, et al., Cause No. 02-171, Our File No. 01-P-03 (551.071).

.....
 No action was taken on the request for credit of \$127,000 on loan #5108 and \$47,000 on loan #5107 which are for 510 W. Missouri and 523 W. Missouri respectively. These are Home Program Loans administered by the Community and Human Development Department. (Jamie Barron)

Dr. Patricia Morales was present and made comments on behalf of Dr. Barron .


.....
 Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to adjourn this meeting at 12:55 p.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:



 Carole Hunter, City Clerk



 Rita Rodriguez, City Attorney

